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WST93AUSA

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MAY 2 1 2002
TECH CENTER 1600 2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of) Group Art Unit:
Magdalena Blaszczyk-Thurin et al)
Appln. No.: 09/831,047) Examiner:
Filed: May 3, 2001)
For: COMPOSITIONS AND METHODS FOR) October 24, 2001
TREATMENT OF CANCER)

Assistant Commissioner for Patents
Washington, DC 20231

Attn: Application Division

Sir:

This is in timely response to the Notification of Defective Response, the Notice being dated October 15, 2001.

The above-identified patent application was filed on May 3, 2001 with a computer-readable diskette and paper copy of the sequence listing. Copies of Applicants' transmittal letter and return receipt postcard are attached as Exhibit A.

A Notification of Missing Requirements dated June 15, 2001 was received by the undersigned on June 18, 2001 (herewith submitted as Exhibit B).

CERTIFICATE UNDER 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on October 24, 2001.

Signature

Typed or printed name Debra N. Gerstemeier

No Sequence Listing Error Report was received with this Notice. The undersigned attorney confirmed with Examiner Shelby Vigil during a telephone conference that only the diskette was missing from the materials filed with the application on May 3, 2001. Therefore, the undersigned attorney simply re-submitted a substitute computer readable diskette containing the sequence listing in a response to same on July 25, 2001 that was received by the U. S. Patent and Trademark Office Mailroom on July 30, 2001 (herewith submitted as Exhibit C).

In a telephonic status inquiry to the U. S. Patent and Trademark Office on August 14, 2001 Applicants and the undersigned attorney were advised that their response of July 30, 2001 was not received and made of record. Thus, the undersigned attorney once again re-submitted their response of July 30, 2001 on August 14, 2001 by the U. S. Express Mail Service to the U. S. Patent and Trademark Office as evidenced by the attached Exhibit D.

Applicants and the undersigned attorney subsequently received yet another Notification of Missing Requirements dated August 31, 2001 (herewith submitted as Exhibit E). This Notice contained a Sequence Listing Error Report. Applicants and the undersigned attorney corrected the reference to Xaa in the Sequence Listing and filed yet another response including a substitute Sequence Listing in computer readable form as well as a substitute paper copy of same. This Response was filed by the U. S. Express Mail Service to the U. S. Patent and Trademark Office on October 16, 2001 as evidenced by the attached Exhibit F.

Applicants have subsequently received a new Notification of Defective Response dated October 15, 2001 (herewith attached as Exhibit G) previously mentioned above and which has simply crossed in the mail with Applicants latest Response.

Applicants and the undersigned attorney respectfully request that the above Response filed on October 16, 2001 be entered and made of record as it is believed that this Response is in full compliance with the latest Notification of October 15, 2001. Applicants and the undersigned attorney also would like to bring to the attention of Examiner Shelby Vigil the U. S. Patent and Trademark Office error in the

filings date information indicated as June 30, 2001 on the computer-readable printout received with the Notification dated October 15, 2001. The above-identified patent application was filed on May 3, 2001 as evidenced by the attached Exhibit A. The Response filed October 16, 2001 and the computer readable diskette and paper copy of the Sequence Listing correctly identify the May 3, 2001 filing date.

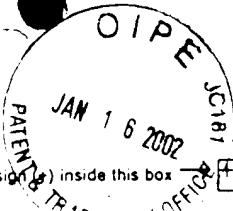
The Examiner is respectfully invited to contact the undersigned attorney to discuss any further requirements necessary to complete the initial filing of the above-identified patent application.

Respectfully submitted,

HOWSON AND HOWSON
Attorneys for the Applicants

By _____

Mary E. Bak
Registration No. 31,215
Spring House Corporate Center
Box 457
Spring House, PA 19477
Telephone: (215) 540-9206
Telefacsimile: (215) 540-5818



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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office, DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

	Application Number	09/831,047	
	Filing Date	May 3, 2001	
	First Named Inventor	Magdalena Blaszcyk-Thurin	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	7	Attorney Docket Number	WST93AUSA

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 2 pp. Letter 2 pp. Form Pct/Do/EO/905
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1 Diskette
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	1 copy of postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	HOWSON AND HOWSON Mary E. Bak
Signature	
Date	July 25, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 7-25-01

Typed or printed name	Lynn Brown
Signature	
Date	July 25, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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COPY OF PAPERS
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PATENT

Serial No Doc No WST93AUSA Atty/Sec MSL Date 5-3-01

Inventor Magdalena Bluszczak-Tamm Client WST/PTO

Title Compositions and Methods for Treatment of Cancer

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- 26 pp Spec 775 Claims 167 Abstract _____
 4 pp Declaration/Power of Attorney _____
____ pp Verified Statement (Small Entry) _____
____ shs Informal Drawings _____
 5 shs Formal Drawings (Eng 1-5) _____
____ pp Assignment _____
 2 pp Preliminary Amendment A _____
____ pp Extension of Time _____
____ pp Information Disclosure Statement
with PTO-1449 and _____ references _____

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and enclose it in the outgoing mail.

Express 1-100

ETU33649102MS

091831047

Check #16536 for \$796 W

Check #16537 for \$18 W

3 pg 1st and 3 pg 2nd attach - Appendix A

36 pg Supp. List

1 pg Statement

1 pg Docket

Copies of Request Denied Written

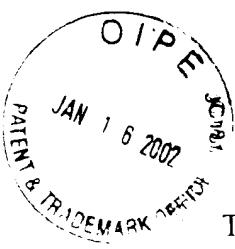
Respectfully yours, 1st Prel. Exam

HOWSON AND CO. LTD.

JC17 Rec'd PCT/PTO 03 MAY 2001

MSL

Exhibit A



COPY OF PAPERS
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00270

PATENT TRADEMARK OFFICE

Attorney's Docket No.: WST93AUSA

TRANSMITTAL LETTER TO THE U.S. ELECTED OFFICE
(EO/US) - ENTRY INTO NATIONAL STAGE UNDER 35 USC 371

PCT/US99/26277

International Application No.

5 November 1999

International Filing Date

6 November 1998

Priority Date Claimed

COMPOSITIONS AND METHODS FOR TREATMENT OF CANCER

Title of Invention

Magdalena Blaszczyk-Thurin and Thomas Kieber-Emmons

Applicant(s) for EO US

TECH CENTER 2000
REC'D - 11/10/00
MAY 2001
JULY 2001
NOV 2001

Box PCT

Assistant Commissioner for Patents

Washington, DC 20231

Attn: EO/US

Sir:

Applicant herewith submits to the United States Elected Office
(EO/US) the following items under 35 USC 371:

- (1) This express request to immediately begin national examination procedures (35 USC 371(f)).
- (2) A copy of the cover sheet for the published International Application along with a copy of the specification as filed: 106 pages, including 7 pages of claims, 5 sheets of drawings, 36 pages of Sequence Listing, and a copy of the 1 page International Search Report.
- (3) a copy of the 5 page Request form.
- (4) a first Preliminary Amendment for entry prior to calculation of the filing fees.
- (5) our check in the amount of \$796.00, covering the basic national fee as set forth in 37 CFR 1.492(a)(1) and based on the first Preliminary Amendment (39 total claims; 10 independent; and no multiple dependent).

Express Mail No. ET 033649102 US

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- (6) A Second Preliminary Amendment.
- (7) Our check in the amount of \$18.00, covering the extra claim fees after entry of the second Preliminary Amendment (41 total claims, 10 independent; and no multiple dependent).
- (8) Two (2) (4 pages) executed Combined Declaration and Power of Attorney forms.
- (9) A 36 pages Sequence Listing (provided in specification).
- (10) A 3.5" computer-readable diskette.
- (11) A 1 page Statement under 37 CFR §1.821(f) and §1.825(a) and (b).

Copies of the following miscellaneous items are also enclosed:

- (12) Copy of the 4 page Demand for International Preliminary Examination.
- (13) Copy of the 4 page Written Opinion.
- (14) Copy of the 5 page International Preliminary Examination Report.

Please charge any additional fees which may be required to effect entry into the National Phase and credit any overpayment to Deposit Account No. 08-3040.

Please direct all communications concerning this application to the undersigned.

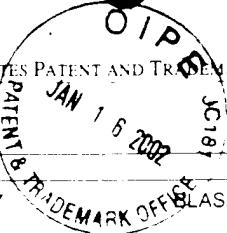
Respectfully submitted,

HOWSON AND HOWSON
Attorneys for the Applicants

By Mary E. Bak
Mary E. Bak
Registration No. 31,215
Spring House Corporate Center
Box 457
Spring House, PA 19477
Telephone: (215) 540-9206
Telefacsimile: (215) 540-5818



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

09/831047

FIRST NAMED APPLICANT

BLASZCZYK-THURIN

ATTY. DOCKET NO.

WST93AUSA

INTERNATIONAL APPLICATION NO.

PCT/US99/26277

DA FILING DATE

PRIORITY DATE

05 NOV 99 06 NOV 98

DATE MAILED

15 JUN 2001

HOWSON AND HOWSON
ONE SPRING HOUSE CORPORATION CENTER
BOX 457
321 NORRISTOWN ROAD
SPRING HOUSE, PA 19477

JUN 16 2002

MAY 2002
MAY 2002
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NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495).
- U.S. Basic National Fee. Indication of Small Entity Status.
 - Copy of the international application. Translation of the international application into English.
 - Oath or Declaration of inventor(s). Translation of Article 19 amendments into English.
 - Copy of Article 19 amendments. Other:
 - Priority Document.
 - The International Preliminary Examination Report in English and its Annexes, if any.
 - Translation of Annexes to the International Preliminary Examination Report into English.
2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- U.S. Basic National Fee. Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ENTERED
DUE 8-15-01

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice MUST be returned with this response.

Enclosed PCT DO EO 917 Notice of Defective Translation
 PTO-875 PCT DO EO 920

SHELBY VIGIL, PARALEG

Telephone 703-305-3653

FORM PCT DO EO 905 (March 2001)

Exhibit B



UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 16 2002

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United States Patent and Trademark Office
Washington, D.C. 20591
www.uspto.gov

N. APPLICATION NO.

09/831047

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

HOWSON AND HOWSON
ONE SPRING HOUSE CORPORATION CENTER
BOX 457
321 NORRISTOWN ROAD
SPRING HOUSE, PA 19477

BLASZCZYK-THURIN

M WST93AUSA

INTERNATIONAL APPLICATION NO.

PCT/US99/26277

1A. FILING DATE 05 NOV 99
PRIORITY DATE 06 NOV 98

DATE MAILED

15 JUN 2001

DUE 8-15-01

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: _____

APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:

- (703) 308-4216, for Rules interpretation,
- (703) 308-4212, for CRF submission help,
- (703) 287-0200, for PatentIn software help.

SHELBY VIGIL, PARALEG

Telephone: 703-305-3653

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U.S. PATENT & TRADEMARK OFFICE

TECH CENTER 1600/2600



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PATENT Serial No 09/831047 Doc No Wst93AUSA Att Sec MEB/1b Date 7-25-01

Inventor Magdalena Blaszczyk-Thurin Client Wistar

Title Compositions and Methods for Treatment of Cancer

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon

pp Spec. Claims. Abstract pp Amendment OA dtd _____
 pp Declaration/Power of Attorney Response OA dtd _____
 pp Verified Statement (Small Entry) Transmittal Letter _____
 shs Informal Drawings Issue Fee _____
 shs Formal Drawings Notice of Appeal & Fee _____
 pp Assignment Check # _____ for \$ _____
 pp Preliminary Amendment 292 Letter _____
 pp Extension of Time 292 copy of Notice of missing _____
 pp Information Disclosure Statement Requirements Form PCT/DO/E0/905
with PTO-1449 and references 1 Diskette

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail

copy of postcard

Respectfully,

HOWSON AND HOWSON

MEB

518 Rec'd PCT/PTO 31 JUL 2001

JUL 30 2001



Exhibit C

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Approved for use through 10/31/2002. OMB 0651-0037

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT & TRADEMARK OFFICE
JAN 16 2001
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/831,047
		Filing Date	May 3, 2001
		First Named Inventor	Magdalena Blaszczyk-Thuin
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	7	Attorney Docket Number	WST93AUSA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 2 pp. Letter 2 pp. Form PCT/Do/Eo/905 1 Diskette 1 Copy of postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	HOWSON AND HOWSON Mary E. Bak
Signature	<i>Mary E. Bak</i>
Date	August 14, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	
Signature	Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

EXPRESS MAIL NO. ET 033619074 US

00270
PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Magdalena Blaszczyk-Thurin et al.

Appln No. 09/831,047

Filed: May 3, 2001

For: COMPOSITIONS AND METHODS
FOR TREATMENT OF CANCER

WST93AUSA

) Group Art Unit:

)) Examiner:

))

))

))

))

) August 14, 2001

Assistant Commissioner for Patents

Washington, DC 20231

Attn: Shelby Vigil, Paralegal

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JAN 21 2002
TECH CENTER 1600
2002-2900

LETTER

Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/ or Amino Acid Sequence Disclosures in the above-identified application, dated June 15, 2001, attached please find:

- (a) the requested diskette, with the Sequence Listing in computer readable format as required by 37 CFR 1.821 (e);
- (b) a copy of this Notice; and
- (c) a copy of the USPTO receipt-stamped postcard providing evidence that the diskette was originally filed with the application.

In a telephone conference with Shelby Vigil, Applicant was advised that only the diskette was missing from the materials filed with the application on May 3, 2001.

The substitute computer readable diskette contains the same content as the paper copy of the Sequence Listing filed with the application on May 3, 2001. No new matter is contained on this diskette. Please enter this computer readable diskette into the application file. If further information is needed, the examiner or paralegal is requested to notify the undersigned at 215 540 9206.

The Director is hereby authorized to charge any deficiency or credit any overpayment in any fee due with this paper to our deposit account number 08-3040.

Respectfully submitted,
HOWSON AND HOWSON
Attorneys for the Applicants

By Mary E. Bak
Mary E. Bak
Registration No. 31,215
Spring House Corporate Center
Box 457
Spring House, PA 19477
Telephone: (215) 540-9200
Telefacsimile: (215) 540-5818

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UNITED STATES PATENT AND TRADEMARK OFFICE



Business user for Patents Box 907
United States Patent and Trademark Office
Washington, D.C. 20531
www.uspto.gov

U.S. APPLICATION NO.

09/831047

FIRST NAME OF APPLICANT

BLASZCZYK-THURIN

ATTY. DOCKET NO.

WST93AUSA

INTERNATIONAL APPLICATION NO.

PCT/US99/26277

HOWSON AND HOWSON
ONE SPRING HOUSE CORPORATION CENTER
BOX 457
321 NORRISTOWN ROAD
SPRING HOUSE, PA 19477

SEP 1 2001

EX. FILING DATE 05 NOV 99
PRIORITY DATE 06 NOV 98

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) or an Elected Office (37 CFR 1.495).

- U.S. Basic National Fee. Indication of Small Entity Status.
- Copy of the international application. Translation of the international application into English.
- Oath or Declaration of inventor(s). Translation of Article 19 amendments into English.
- Copy of Article 19 amendments. Other:
- Priority Document.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee Copy of the international application

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO 917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT DO EO 920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice MUST be returned with this response.

Enclosed: PCT DO EO 917

Notice of Defective Translation

PTO-875

PCT DO EO 920

SHELBY VIGIL, PARALEG

Telephone 703-305-3653

FORM PCT DO EO 905 (March 2001)

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Exhibit E



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

09.831047

FIRST NAMED APPLICANT

BLASZCZYK-THURIN

ATTY. DOCKET NO.

M WST93AUSA

INTERNATIONAL APPLICATION NO.

PCT/US99/26277

FILING DATE PRIORITY DATE

05 NOV 99 06 NOV 98

DATE MAILED

31 AUG 2002

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MAY 21 2002

HOWSON AND HOWSON
ONE SPRING HOUSE CORPORATION CENTER
BOX 457
321 NORRISTOWN ROAD
SPRING HOUSE, PA 19477

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: _____

APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:

- (703) 308-4216, for Rules interpretation.
- (703) 308-4212, for CRF submission help.
- (703) 287-0200, for PatentIn software help.

SHELBY VIGIL, PARALEG

Telephone: 703-305-3653



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WST93AUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of) Group Art Unit:
Magdalena Blaszczyk-Thurin et al)
Appln. No.: 09/831047) Examiner:
Filed: May 3, 2001)
For: COMPOSITIONS AND METHODS) July 25, 2001
FOR TREATMENT OF CANCER)

Assistant Commissioner for Patents
Washington, DC 20231

Attn: Shelby Vigil, Paralegal

LETTER

Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures in the above-identified application, dated June 15, 2001, attached please find:

- (a) the requested diskette, with the Sequence Listing in computer readable format as required by 37 CFR 1.821(e);
- (b) a copy of this Notice; and
- (c) a copy of the USPTO receipt-stamped postcard providing evidence that the diskette was originally filed with the application.

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231 on July 25, 2001.

Signature

A handwritten signature in black ink that appears to read "Lynn Brown".

Typed Printed Name:

LYNN BROWN

In a telephone conference with Shelby Vigil, Applicant was advised that only the diskette was missing from the materials filed with the application on May 3, 2001.

The substitute computer readable diskette contains the same content as the paper copy of the Sequence Listing filed with the application on May 3, 2001. No new matter is contained on this diskette. Please enter this computer readable diskette into the application file. If further information is needed, the examiner or paralegal is requested to notify the undersigned at 215 540 9206.

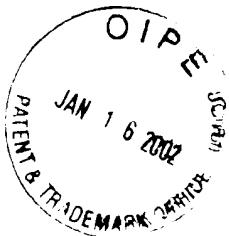
The Director is hereby authorized to charge any deficiency or credit any overpayment in any fee due with this paper to our deposit account number 08-3040.

Respectfully submitted,

HOWSON AND HOWSON
Attorneys for Applicant

By Mary E. Bak
Mary E. Bak
Registration No. 31,215
Spring House Corporate Center
Box 457
Spring House, PA 19477
(215) 540-9200

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PATENT Serial No 09/831,047 Doc. No WST93AUSA Atty/Sec TEG BEATTIE Date October 16, 2001
Inventor GLASZCZYK-Turner Client WILNER INSTITUTE
Title Compositions and methods for treatment of cancer

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- pp. Spec. _____ Claims. _____ Abstract _____ pp. Amendment: OA dtd _____
- pp. Declaration/Power of Attorney _____ pp. Response: OA dtd _____
- pp. Verified Statement (Small Entry) pp. Transmittal Letter _____
- shs. Informal Drawings _____ Issue Fee _____
- shs. Formal Drawings _____ Notice of Appeal & Fee _____
- pp. Assignment _____ Check # _____ for \$ _____
- pp. Preliminary Amendment Sequence Listings on diskette _____
- pp. Extension of Time 827 PAGES ON DISKETTE
- pp. Information Disclosure Statement Copy of NOTIFICATION
- with PTO-1449 and _____ references

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail.

Respectfully,
HOWSON AND HOWSON

ET 033633632 US

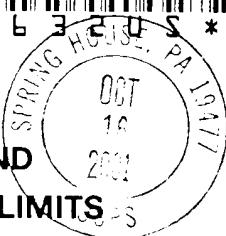


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lbs.	ozs.	Return Receipt Fee	
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WST93AUSA

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of) Group Art Unit:
Blaszczyk-Thurin et al)
Appln. No. 09/831,047)
Filed: May 3, 2001)
For: COMPOSITIONS AND METHODS)
FOR TREATMENT OF CANCER) October 16, 2001



Assistant Commissioner for Patents
Washington, DC 20231

AMENDMENT AND STATEMENT PURSUANT TO 37 CFR §1.821(f) and (g)

Pursuant to the attached notice received from the U.S. Patent and Trademark Office that the computer-readable diskette containing the "Sequence Listing" as submitted does not comply with the requirements of 37 CFR §1.822 and/or 1.832, Applicants herewith submit a substitute Sequence Listing in computer readable form and a substitute paper copy of the Sequence Listing as required by 37 CFR §1.821-1.825.

Please enter the substitute computer readable form and attached substitute paper copy of the Sequence Listing into this application.

EXPRESS MAIL NO. ET 033633632 US

As required by 37 CFR §1.821(f), this statement affirms that to the best of my knowledge and belief that the Sequence Listing information recorded in the substitute computer readable form is identical to the substitute paper copy of the Sequence Listing. As required by 37 CFR §1.821(g), this statement affirms that to the best of my knowledge and belief this substitute Sequence Listing presents no new matter to the application as filed.

Respectfully submitted,

HOWSON AND HOWSON
Attorneys for the Applicants

By Mary E. Bak
Mary E. Bak
Registration No. 31,215
Spring House Corporate Center
Box 457
Spring House, PA 19477
(215) 540-9200

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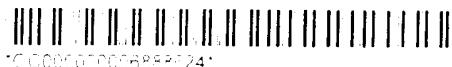
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MAY 21 2001

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09 831,047	Magdalena Blaszczyk-Thurin	WS193AU S-2

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SERIALIZED	FILED
PCT US99 26277	11 05 1999
11 05 1999	Product 1001

CONFIRMATION NO. 8220
371 FORMALITIES LETTER



Date Mailed: 10/15/2001

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495)

- U S Basic National Fee
- Indication of Small Entity Status
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

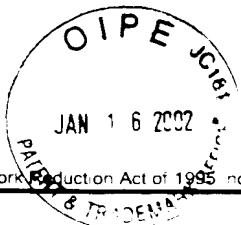
Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U S application no. shown above (37 CFR 1.5)

SHELF BY J VIGH

Telephone (703) 305-3653

Cb Jan 20
JL

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Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

23

Application Number	09/831,047
Filing Date	05/03/2001
First Named Inventor	Magdalena Blaszczyk-Thibin
Group Art Unit	
Examiner Name	
Attorney Docket Number	WST93AUSA

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ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> to Group
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> of Appeals and Interferences
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a	<input type="checkbox"/> Appeal Communication to Group
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Provisional Application	<input type="checkbox"/> (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Change of Correspondence	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority	<input type="checkbox"/> Address	<input type="checkbox"/> Other Enclosure(s) (please
Document(s)	<input type="checkbox"/> Terminal Disclaimer	identify below)
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> CD, Number of CD(s) _____	
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Mary E. Bak, Esquire Howson and Howson
Signature	
Date	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

10/24/2001

Typed or printed name	Debra N. Gerstemeier	
Signature		Date

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

First Class Mail

HOWSON & HOWSON
SPRING HOUSE CORPORATE CENTER
BOX 457
SPRING HOUSE, PA 19471

To _____

Assistant Commissioner for Patents
Washington, DC 20231

ATTN: Application Division